

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

NATERA, INC.,

Plaintiff,

v.

ARCHERDX, INC., ARCHERDX, LLC,
AND INVITAE CORPORATION

Defendants.

C.A. No. 20-cv-125-LPS
(Consolidated)

**DEFENDANTS' MOTION FOR SUMMARY JUDGMENT AND *DAUBERT* MOTION
TO EXCLUDE EXPERT TESTIMONY**

Defendants ArcherDX, Inc., ArcherDX, LLC, and Invitae Corp. hereby move for summary judgment that:

1. Defendants do not infringe the '482, '172, and '814 patents because they use different universal primers in successive PCRs;
2. Defendants' PCM, Stratafide, and LiquidPlex products do not infringe the asserted patents because they do not satisfy the Court's construction of "target loci;"
3. Defendants do not infringe the '708 patent because the Accused Products do not satisfy the Court's construction of "a melting temperature of the at least 2 primers;"
4. The asserted claims of the '708 patent are invalid in view of Blomquist;
5. The claims of the '708 patent are invalid as indefinite;
6. The asserted patents are not enabled for their full scope; AND
7. The '482, '172, '814, and '220 patents are not entitled to claim the benefit of the '508 and/or '235 applications and are invalid for lack of written description.

Defendants also move under *Daubert* to exclude from trial certain testimony of Plaintiff's witnesses Dr. Spellman, Mr. Wojcik, Dr. Quackenbush, Dr. Sullivan, and Mr. Stoll.

The basis for these Motions is set forth in the memorandum of law filed contemporaneously herewith.

Pursuant to D. Del. LR 7.1.1, Plaintiff opposes the relief related to the Daubert motions.

Dated: January 21, 2022

Respectfully submitted,

FARNAN LLP

/s/ Brian E. Farnan

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